

Rankin, Dennis - Washington, DC

From: Donna E. Nelson [dnelson@irelandstapleton.com]
Sent: Tuesday, August 25, 2009 5:03 PM
To: Matthew_Douglas@aporter.com; Rankin, Dennis - Washington, DC; T_flanagan@fsf-law.com; Timothy.Macdonald@aporter.com
Cc: Rebecca L. Almon; Russell W. Kemp
Subject: Letter to Thomas Dougherty
Attachments: Thomas Dougherty Letter.pdf

Sent at the request of Russell Kemp:

<<Thomas Dougherty Letter.pdf>>

Donna Nelson
Legal Secretary

Ireland Stapleton Pryor & Pascoe, PC
1675 Broadway, Suite 2600
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Direct: 303-628-3611
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9/8/2009



RUSSELL W. KEMP
303 • 628 • 3624 (direct)
rkemp@irelandstapleton.com

August 25, 2009

Via US Mail and email

Thomas J. Dougherty
Rothgerber Johnson & Lyons LLP
1200 17th Street, Suite 3000
Denver, CO 80202

Re: NEPA Scoping Meetings
San Luis Valley-Calumet-Comanche Transmission Project

Dear Tom:

I attended one of the NEPA scoping meetings last week, in Colorado City on August 20. Others on our team also attended scoping meetings. We noted that new materials, not available on the Tri-State or project website or otherwise to our knowledge, were made available to the public at these meetings, including the following:

- Project Maps showing proposed corridors, possible transmission line locations, and identifying vantage points for various photographs displayed at the meetings (including four oversized sets of Project Maps on which Tri-State invited meetings attendees to make notes)
- A Resource Map Book for the project study area, with maps dated August 2009

We also noticed at the scoping meetings a series of "photo-simulations" apparently intended to indicate how the proposed transmission line would look at various locations of the project. We would like a copy of those photographs in the same size and color as they appeared at the scoping meetings (with and without the simulated transmission towers and conductors) and would request that you preserve the original booklet since we feel it should be part of the official record that RUS relies upon for any action that it takes upon your client's application in this matter. Please advise as to who is the custodian of these materials at Tri-State.

The referenced materials are relevant to the scoping comments we will be providing to the Rural Utilities Service for its NEPA review of the proposed project, the analysis and studies we may commission regarding project impacts to supplement the information available to Rural Utilities Service for its NEPA review of the proposed project, and the legal proceedings that may follow the NEPA process.

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IRELAND STAPLETON PRYOR & PASCOE, PC
1675 BROADWAY SUITE 2600, DENVER CO 80202 TEL 303.623.2700 FAX 303.623.2062 IRELANDSTAPLETON.COM

B-004-001: Visual and Aesthetic (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to visual and aesthetic resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.

B-004-001

Thomas J. Dougherty
Rothgerber Johnson & Lyons LLP
August 25, 2009
Page 2

B-004-002

I request that you provide copies of these materials promptly, so that we are able to have access to them while preparing our written scoping comments.

Thank you for your attention to this matter.

Sincerely,



Russell W. Kemp

RWK/den

cc: Dennis Rankin
Timothy J. Flanagan
Timothy R. MacDonald
Matthew J. Douglas
Rebecca L. Almon

B-004-002: Visual and Aesthetic (In Review)

Your email/letter/comment form has been received and your comment noted. Potential impacts to visual and aesthetic resources from the proposed project and mitigation measures will be addressed in the Environmental Impact Statement.

The Environmental Impact Statement is anticipated to be completed in late 2010 and will be available at

<http://www.usda.gov/rus/water/ees/ea.htm>.

Rankin, Dennis - Washington, DC

From: Mather, Donna J. [djmather@rothgerber.com]
Sent: Thursday, August 27, 2009 5:10 PM
To: 'rkemp@irelandstapleton.com'
Cc: Rankin, Dennis - Washington, DC
Subject: Tri-State/San Luis Valley-Calumet-Comanche Transmission Project
Attachments: 20090827140944975.pdf

Please see attached correspondence from Tom Dougherty.

Donna Mather, Ass't to Thomas J. Dougherty

Donna J. Mather, Executive Assistant

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9/8/2009

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August 27, 2009

Via Email

Russell W. Kemp, Esq.
Ireland Stapleton Pryor & Pascoe, P.C.
1675 Broadway, Suite 2600
Denver, Colorado 80202

Re: Tri-State Generation and Transmission Association, Inc. – San Luis Valley-
Calumet-Comanche Transmission Project Public Scoping Meetings

Dear Russell:

This letter is in response to your August 25, 2009 correspondence requesting copies of certain information that was made available to the public during the recent public scoping meetings related to the San Luis Valley-Calumet-Comanche Transmission Project (the "Project"). I have reviewed your request with Tri-State and am informed that all of the information described in your letter is now available on the Project website at www.socotransmission.com. The photo-simulations you requested have been posted to the website in both low and high resolution which will enable you to download and print them in the same resolution and format as was available at the public scoping meetings. If you believe any of the information you requested is not available on the website, please contact me.

Finally, with regard to your request that the photo-simulations booklet be preserved as part of the official record, it is my understanding that all hard copies of documents used in connection with the public scoping meetings are being maintained as part of the administrative record in this matter.

Please feel free to contact me should you have any further questions.

Sincerely,

ROTHGERBER JOHNSON & LYONS LLP

A handwritten signature in black ink, appearing to read 'Thomas J. Dougherty', is written over a horizontal line. The signature is fluid and cursive.

Thomas J. Dougherty

TJD:dm
cc: Mr. Dennis Rankin
(00715831 / 1)